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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/542,782

07/20/2005

Otto Hofstetter

26866US

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20529

7590

04/08/2008

NATH & ASSOCIATES
112 South West Street
Alexandria, VA 22314

EXAMINER

LUK, EMMANUEL S

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

04/08/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/542,782	Applicant(s) HOFSTETTER ET AL.	
	Examiner Emmanuel S. Luk	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Blank (4571171) and Knepper (6767497).

Applicant's admitted prior art as seen in Figure 1, shows the slide and base plate and stripper plate along with the inclined drag element that is secured to the base plate that actuates the slide in such a way that it opens the male mold cones. The slide and inclined element not only provides the detachment stroke for the male mold cones but is also allows for the complete opening of the male mold cones.

Applicant's admitted prior art fails to teach a hydraulic drive secured to the slide for opening the male mold cones and a step with the inclined drag element.

Blank teaches the slide (Fig. 6), base plate (41), stripper plate (44), and hydraulic drives (67), the drives are secured to the adjustment bars that are secured to the thrust pins (58) that engage grooves for sliding movement. The adjustment bars along with the thrust pins and groove are the slider that actuates the opening of the 'male mold cones'.

Knepper teaches a release mechanism for a robotic parison handling method and apparatus. The device uses a cam track (42), and the track having a ramp portion (65), first portion (64), and second portion (66), also there is accommodations that allows for a small separation to allow for the articles (21) to be loosely held but not

Art Unit: 1791

released (Col. 10, lines 5-26). This detachment step is known in the art and another term used in the art is 'mold breaking'. It would have been obvious for one of ordinary skill in the art to recognize this feature of cam track of Knepper is equivalent to the detachment step in the slide.

It would have been obvious for one of ordinary skill in the art to modify applicant's admitted prior art with the addition of the hydraulic drives as taught by Blank completely opening the male mold cones, thereby allowing for a smaller slide element necessary in the system which would allow for saving of space due to the compact nature of the hydraulic drives secured to the slide and to have a small step as taught by Knepper to allow an initial break in the mold prior to completely opening to an extraction position.

3. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Blank (4571171) and Knepper as applied to claim 1 above, and further in view of Valyi (3868202) and Fischer (3685943).

Admitted prior art, Blank, and Knepper fail to teach a second drive and springs.

Valyi teaches a plurality of drives used for actuating the mold sections (4).

Fischer teaches springs (47) that are used to pull back the sections.

It would have been obvious to one of ordinary skill in the art to modify Applicant's admitted prior art in view of Blank and Knepper with a second drive as taught by Valyi for control of the opening and closing of the mold members and springs as taught by Fischer to eliminate the need to actuate the drive for closing.

Response to Arguments

4. Applicant's arguments with respect to claims 1, 2, and 4 have been considered but are not persuasive, newly found prior art reference incorporating Knepper teaches a cam with features that are equivalent to an initial detachment step of the slide which must be addressed in a new rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel S. Luk whose telephone number is (571)272-1134. The examiner can normally be reached on Monday-Fridays from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra N. Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Yogendra N Gupta/
Supervisory Patent Examiner, Art Unit 1791

Application/Control Number: 10/542,782
Art Unit: 1791

Page 5

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